

Message

From: Wilson, David [wilson.david@epa.gov]
Sent: 9/6/2019 2:58:07 PM
To: Canova, Judy [canova.judy@epa.gov]
Subject: RE: Response to April 21, 2017 MNA Report
Attachments: 003250 Monitored_Natural_Attenuation_Pilot_Program_Data_Evaluation Response to comments Supporting Technical Information.pdf

Judy,

Ex. 5 Deliberative Process (DP)

Dave

From: Canova, Judy <canova.judy@epa.gov>
Sent: Friday, September 6, 2019 8:21 AM
To: Wilson, David <wilson.david@epa.gov>
Subject: FW: Response to April 21, 2017 MNA Report

Judy Canova, Remedial Project Manager/Geologist
 U.S. Environmental Protection Agency, Region 5
 Superfund & Emergency Management Division
 Remedial Response Branch 1, RRS#6
 77 W. Jackson Blvd Mail Code SR6J
 Chicago, IL 60604
 (312) 353-7997

From: farrs@fuse.net <farrs@fuse.net>
Sent: Wednesday, July 10, 2019 1:51 PM
To: Canova, Judy <canova.judy@epa.gov>; Wilson, David <wilson.david@epa.gov>; Ronald Pitzer <trusteerlp@gmail.com>; Peggy Dewan <pdewan@cinci.rr.com>; Julian.Hayward@ghd.com; Henry.Cooke@ghd.com
Subject: FW: Response to April 21, 2017 MNA Report

Judy,

Regarding your email dated June 28, 2019 concerning USEPA's response to the Pristine Trust's MNA report provided to the USEPA in April, 2017: I think it is important that we review the correspondence between USEPA and the Trust regarding this report. Below is a chronology of events and I have attached copies of some of the correspondence.

1. January 27, 2017: David Linnear sends the Trust a letter with comments on the MNA Interim Report from May 2015. (attached)
2. April 21, 2017: The Pristine Trust, through GHD, submits the MNA Pilot Program Data Evaluation Report, which incorporates additional information and data gathered since the May 2015 MNA Interim Report. In addition, GHD submitted extensive comments and technical documents to respond to USEPA's January 27, 2017 letter regarding the MNA Pilot Program report.

3. August 24, 2017: The Trust meets with USEPA representatives in Chicago to discuss MNA and overall plan for Pristine Site. USEPA agrees to send a technical response to the April 2017 MNA report. (In attendance: Cheryl Newton, Margaret Guerriero, Tom Short, Denise Boone, David Wilson, Nefertiti DiCosmo, David Linnear, Betsy DuSold, Julian Hayward, Ron Pitzer, Peggy Dewan, Martha Farr)
4. August 25, 2017: Trust sends email to C. Newton and confirms that USEPA will be sending written comments to MNA report. (attached)
5. September 12, 2017: David Linnear sends email to the Trust stating that the Trust would receive formal comments on the MNA program by the end of October 2017. (attached)
6. October 27, 2017: Trust sends an email to C. Newton detailing information obtained through a FOIA documents request: OEPA comments on MNA report and information about USEPA hiring SSPA to evaluate the MNA program. (attached)
7. January 19, 2018: The Trust receives a draft of the SSPA report.
8. February 6, 2018: The Trust meets with USEPA in Chicago to review the current site conditions and regional issues. Without prior notice to the Trust,, USEPA has SSPA attend the meeting and present some of its conclusions. (In attendance: Dave Linnear, Nefertiti DiCosmo, Dave Wilson, Tom Short, SSPA:Matt Tonkin & Erica DiFilippo, Scott Glum (by phone), Martha Farr, Ron Pitzer, Peggy Dewan, Betsy DuSold, Julian Hayward)
9. April 6, 2018: David Linnear sends email to Trust giving the Trust 45 days to provide alternative remedial measures or, if an alternative is not proposed, 90 days to submit plans and a timeline for restarting the off-site extraction wells and resume operating the pump-and-treat system. (attached)
10. May 2, 2018: Trust sends letter to David Linnear proposing an amendment to the MNA Pilot Program (attached)
11. August 10, 2018: David Linnear sends letter to Trust re: starting up an off-site extraction well.
12. October 2018: Through a FOIA request, the Trustees first become aware of David Wilson's March 9, 2018 comments. (attached)

As you can see by the chronology, the Trust has never received comments from the USEPA on the April 21, 2017 MNA report or the April 21, 2017 submittal of the Trust's response to USEPA's comments on the interim report. The one-page memo that David Wilson produced on March 9, 2018 is not a technical review of our reports. In order to move forward productively with USEPA on the Pristine remediation, we think it is vital that our work products are reviewed in an appropriate manner. It is obvious that the Trust and USEPA view the technical conditions at Pristine differently. The Trust is concerned that until we all at least understand these differences, which can only happen if USEPA provides meaningful comments on our submissions, we will continue to struggle seemingly at cross-purposes with each other.

Therefore, we do not agree with your conclusion that the May 9, 2018 memo from David Wilson qualifies as a detailed review of the April 2017 MNA report.

Martha Farr
Pristine Trustee

----- Forwarded message -----

From: **Canova, Judy** <canova.judy@epa.gov>
Date: Fri, Jun 28, 2019 at 12:44 PM
Subject: Response to April 21, 2017 MNA Report
To: Ronald Pitzer <trusteerlp@gmail.com>
Cc: Wilson, David <wilson.david@epa.gov>

Ron, In our conference call Wednesday, you indicated you had not received comments from us on the April, 2017 MNA Report submitted to EPA. I have responses from David Wilson which are attached. I have spent the last few hours wading through e-mails trying to see if/when this was possibly forwarded to you by e-mail. As you know, there are quite a few emails in the record. However, I did notice that there was a May 2, 2018 Proposal for a Pilot Program Amendment which suggests there was, at a minimum, some discussion regarding the April 2017 report that led to the 2018 proposal. My expectation is that the principles represented in this letter were conveyed to you in various discussions and

meetings. However, if you would like to respond to these comments for our review and consideration, feel free to do so. I am continuing to evaluate the action item list from the call and will work on getting the list to you before COB today. Thank you for your help with this site. Judy

Judy Canova, Remedial Project Manager/Geologist

U.S. Environmental Protection Agency, Region 5

Superfund & Emergency Management Division

Remedial Response Branch 1, RRS#6

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(312) 353-7997

From: Wilson, David

Sent: Friday, June 28, 2019 10:26 AM

To: Canova, Judy <canova.judy@epa.gov>

Subject: